

Election Day Observation Program

November 2, 2010, General Election Report

This report summarizes the work of the Election Day Observation Program conducted by the Secretary of State (SOS) during the November 2, 2010, General Election.

Overall, the election that saw more than 10.3 million ballots cast and involved over 100,000 poll workers at more than 23,000 precincts went smoothly. SOS observers witnessed first-hand the dedication, friendliness, and helpfulness county elections officials and poll workers showed to voters. However, no election is flawless, and on November 10, 2010, some voters and poll workers confronted a number of different issues that are discussed in this report.

Background

The SOS Election Day Observation Program was created in 2003 as a poll-monitoring program that focused on four issues:

- 1) Late Opening of the Polls
- 2) Long Lines at Polling Places
- 3) Electioneering
- 4) Voter Intimidation

Poll monitors visited up to six polling places in a county and then moved to another county. Each monitor could visit several counties in one day. In some instances, a monitor was assigned to a single county for the entire day. This program was used in the 2003 Gubernatorial Recall Election and the June 2004 Primary Election.

The 2006 election cycle was the first in California during which county elections officials were required to comply with all of the requirements of the 2002 Help America Vote Act (HAVA). The Election Day Observation Program replaced the poll monitoring program, and the focus was changed to provide a more comprehensive snapshot of the election process in selected counties over the course of Election Day. Observers were assigned to one county and instructed to observe the opening of a polling place, the closing of a polling place, the return of ballots and equipment to the county election center, and to visit up to 25 polling places within the county on Election Day.

The goal was to assess how county elections officials were meeting the challenges of implementing HAVA and how the SOS could best support them in successfully implementing these changes. In the June 2006 primary election, 31 election observers were sent to 23 counties across the state. The observers (all SOS employees) were charged with reporting how the county elections officials, poll workers, and voters responded to the changes and what they found to be the biggest challenges in meeting the new HAVA requirements.

To help each county elections office identify how it needed to strengthen its poll worker training and voter education programs, the SOS Elections staff shared with each county elections official what the SOS observers saw in their county on Election Day. County officials also were invited to suggest how the SOS might provide better support and guidance to counties in areas of concern.

The effectiveness of this approach seemed to be borne out when 33 SOS observers visited 31 counties during the November 2006 General Election. Issues that had been observed in June were either drastically mitigated or resolved by November. Voters seemed more aware of how the voting equipment was supposed to work and what they could expect at the polls than they had been in June. Overall, the observers were very impressed with the professionalism, friendliness, and helpfulness of the poll workers. They praised the county elections training programs and the level of knowledge of the poll workers. The county elections officials and their voters appeared to be meeting the challenges of adapting to the new voting systems mandated by HAVA, and most poll workers and voters were comfortable with the process by the end of 2006.

Election Day Observation in 2008

The February 5, 2008, Presidential Primary Election was the first statewide election held in California under new use procedures and security guidelines for voting systems set by Secretary of State Debra Bowen. Following a 2007 top-to-bottom review (TTBR) of a number of optical scan and direct electronic recording (DRE) voting systems approved for use in California, Secretary Bowen restricted the use of most DRE systems to one machine per precinct, which effectively required county elections offices to rely on optical scan systems as their primary voting method. Only one DRE system – the Hart eSlate, used in Orange and San Mateo counties – was not subject to the one-machine-per-voting-precinct limitation. Twenty-one county elections offices that had used a DRE voting system as their primary means of balloting in 2006 returned to using a paper-based optical scan voting system in 2008. For the election, 37 SOS observers were sent to 31 counties – 18 of which were making the change back from primarily using a DRE voting system in 2006 to an optical scan system in 2008 – to see how elections were being conducted.

During the June 3, 2008, Statewide Direct Primary Election and the November 4, 2008 General Election, the Secretary of State's office concentrated on assessing the level and effectiveness of poll worker training. Observers attended county poll worker training classes and followed up by visiting polling places on Election Day to assess how each county's training impacted Election Day activities of voters and poll workers. Observers reported a marked improvement in the conduct and administration of these two elections compared to the February 5, 2008, Presidential Primary Election. County poll worker trainers addressed issues that had been reported in February, even if those issues had not been observed in their county. County elections officials also implemented innovative approaches designed to make the election process easier for poll workers and for voters.

Election Day Observation in 2010

For the November 2, 2010, General Election, SOS sent nine experienced observers to 18 counties. Counties visited were:

Alameda	Nevada	San Francisco	Stanislaus
Butte	Placer	San Joaquin	Yolo
Fresno	Riverside	San Mateo	Yuba
Merced	Sacramento	Santa Clara	
Napa	San Diego	Solano	

Observers were instructed to:

- Look for posted signs and flags to determine if polling places were easy to find;
- Report on any accessibility problems related to parking or the facility itself;
- Because of widespread media reports that several political groups were going to deploy poll watchers, SOS observers were asked to pay particular attention to any activities that could be construed as voter intimidation or electioneering;
- Assess the voting environment as to proper lighting, effective staging of poll worker tables and voting equipment, and voter privacy;
- Determine if all required voter information was posted or available and easy to read in all legally required languages;
- Note if accessible voting booths and equipment were set up and readily available;
- Assess if the voting process was well organized;
- Report if voters were required to wait in line for more than 10 minutes;
- Report any issues that appeared to be confusing to either poll workers or voters;
- Determine if security measures for ballots and equipment were being followed; and,
- If possible, without disrupting the voting process or disturbing voters, ask poll workers if they had experienced any difficulties with equipment, procedures, or voter confusion.

SOS observers were told to call in reports of any problems or challenges they felt needed immediate or Election Day attention from either county elections officials or the SOS's Elections staff. They were also asked to provide an overview on issues that were common to the polling places they visited and any apparent underlying causes and/or possible remedies.

Issues

SOS observers reported a number of different problems encountered by voters and poll workers on Election Day, along with a number of creative approaches taken by county elections officials to assist voters.

The issues noted by the SOS observers in this election fall into seven basic categories:

- Ballots and Registration
- Signs and Flags
- Polling Facilities
- Staffing
- Voting Equipment
- Voter Awareness
- Poll Worker Training

Ballots and Registration

There were few registration and ballot issues in any of the counties visited by SOS observers. Most were related to voters appearing at the wrong polling place, in which case poll workers either redirected them to the correct site or instructed them on how to cast a provisional ballot. As has been the case in the last two election cycles, many voters brought their voted vote-by-mail ballots to the polling place on Election Day. This was especially true in Butte County, where the closing of the Marysville USPS Sectional Center (with the consequence of mail being routed through Sacramento) caused concern that ballots may be delayed in the mail and not received by the Registrar in time to be counted.

Elections officials in Merced County faced a surprising challenge when busloads of students from the University of California, Merced campus unexpectedly began appearing at one polling place that already was serving residents from two precincts. Most of the students were newly-registered and had to vote using a provisional ballot. The poll workers at this location did not have the supplies or staffing to adequately serve this unanticipated influx of voters. The county registrar and her staff quickly stepped in to provide additional supplies and to help redirect the students to other polling places where other poll workers were waiting to assist them. The registrar has announced plans for an outreach program to work closely with UC Merced prior to the next election to allow proper planning to provide improved registration and voting services to the students.

Signs and Flags

The most common problem noted was poor visibility of polling places or a lack of some required signage. Several polling places were difficult to find because of inadequate or small signage. Following are problems that SOS observers found in several counties.

- Location signs were too small. Those locations that were able to hang full-sized flags outside the door were easily spotted.
- Location signs were posted too far from the road or at an angle that was difficult for drivers to see.

- Some locations lacked directional signs to indicate the accessible path of travel.
- Not all of the voter information signs required by law were posted in all polling places. This is especially true of the sign indicating that no electioneering is allowed within 100 feet of the polling place. This required sign was missing from most of the polling places observed.

Although many county elections officials have significantly improved their directional and polling place signage since these problems were reported by observers during the 2006 election cycle, overall this is an area that still needs to be improved. SOS staff will continue to work with county elections offices to find solutions to this problem.

Polling Facilities

County elections officials continue to report difficulties in finding appropriately available and accessible buildings to use as polling places. In the spring of 2008, the SOS and the California Department of Rehabilitation offered a series of training classes on the recently published Secretary of State Polling Place Accessibility Guidelines for county election officials. County elections staff members were instructed how to use the guidelines to assess the accessibility of polling places in their counties. This training, in combination with a series of HAVA accessibility grants made to counties over the past two years, has allowed several counties to improve the accessibility of their polling places. This improvement was noted by the SOS observers during this election.

Indoor and outdoor lighting challenges appear to be the most common reported problems encountered at polling places that are otherwise accessible or mitigated to be accessible.

Staffing

Though finding enough poll workers to staff the polling places is often a problem, there were no reports of shortages during this election. Our observers commented on the use of student poll workers in all of the counties visited. Veteran poll workers in almost all of the counties heavily praised the students and were grateful for their help.

Voting Equipment

There were few reports of problems with voting equipment. All were short-lived and quickly corrected and involved minor issues, such as printers and extension cords not working correctly, and problems with setting up some of the equipment initially. Some poll workers were still not fully comfortable with using the electronic equipment, but only one polling place did not have the equipment properly deployed and working at the time SOS observers visited.

The most frequent challenges noted were not enough voting booths in some polling places, and a lack of privacy shields for voters.

Voter Awareness

The most common problem seen by SOS observers occurred when voters learned they had been assigned to a new polling place but did not notice the change in their sample ballot. Poll workers directed these voters to the correct polling places or offered them a provisional ballot.

Some voters in Santa Clara County requested time to familiarize themselves with the ballot when they arrived at the polling place. Poll workers in some locations provided chairs and tables, so those people could study the candidates and issues thoroughly prior to entering the voting booths. Some voters spent up to an hour at these tables.

The registrar in Nevada County received reports that poll watchers at two precincts were intimidating some voters, and after investigation he reminded poll watchers that there are procedures to follow to avoid the appearance of intimidation. SOS observers did not witness such occurrences, and none of the polling places visited reported any incidents.

Poll Worker Training

In most counties, poll workers reported that their training was excellent, and our observers noted that overall the workers were knowledgeable, helpful, and sensitive to the needs of voters. Poll workers in one county complained that they felt their training was not adequate, but our observer noted the election was running smoothly, and there were no obvious problems indicating any lack of knowledge. Poll workers in another county were somewhat intimidated by the electronic equipment and would most likely benefit from additional training on the equipment.

Creative Solutions

Poll workers and county elections officials were able to avoid common problems or solve them quickly by applying creative solutions. Some of those were noted above and are repeated here, along with some others.

- Riverside County asked one poll worker at each polling place to bring a laptop or smart phone device to the polling place. They used the equipment to access the county web pages to locate correct polling places for voters who appeared at the wrong location or for looking up other information to help them keep the election running smoothly.
- Alameda County used large A-frame signs with the American flag and “Polling Place” written in a large font, making it easy for voters to locate their polling place.

- Fresno County provided a “Voter Comments” card in both English and Spanish at all polling places to promote voter feedback and to solicit suggestions for improvement.
- Poll workers in Santa Clara County provided voters with tables and chairs to review the sample ballot before voting. This kept the flow of voters using booths from being blocked by voters who needed more time to determine their choices.
- Several county elections officials used greeters at the entry way to polling places that housed more than one precinct. The greeter determined where to send each voter, so they were directed to the correct table.